



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2402504
Applicant Name: Andrew Novion
Address of Proposal: 3818 Whitman Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the construction of two, 3-unit townhouses. Parking to be provided within the structures for a total of 6 spaces. Project includes demolition of existing structures and grading of 870 cubic yards of material.

The following approval is required:

SEPA - Environmental Determination
(Chapter 25.05, Seattle Municipal Code (SMC))

SEPA DETERMINATION

☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
☒ DNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject property is located on the east side of Whitman Avenue North just a few parcels north of Bridge Way North in the south Wallingford neighborhood. Whitman is fully improved, and there is a paved alley adjacent to the site to the east. However, the alley grade is below the lot grade by about 6 feet, which is maintained by a retaining wall. The lot continues to slope upward substantially from the alley, to the degree that the southeast portion of the property is designated a steep slope ECA. The site is fully enveloped by a large area of L3 zoning. Development of the surrounding properties is predominately a mix of medium to large multifamily apartment buildings.

Proposal

The applicant proposes to construct two triplex townhouse structures, one fronting on Whitman and one behind. A driveway will run along the north side of the lot providing access to parking

beneath each structure. Each townhouse unit will have its own basement garage for a total of six parking spaces on site. Project includes the demolition of the existing single family residence and garage and grading of approximately 870 cu. yards of material.

Future applications will include a unit lot subdivision which will allow each townhouse to be sold with a discreet unit of land within the "parent site". This SEPA review considers the impacts of both the townhouse construction and the future unit lot subdivision with the limitations described in the ensuing analysis.

Public Comment

None.

ANALYSIS - SEPA

The applicant submitted an Environmental Checklist dated 3 August 2004 and a Geotechnical Engineering Study prepared on 24 May 2004 by Geospectrum Consultants. The information provided in the checklist and report, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Section 25.05.908B of the Seattle Municipal Code states that the scope of the environmental review actions within environmentally critical areas is limited to the following:

1. Documenting whether the proposal is consistent with the City of Seattle regulations for Environmentally Critical Areas, SMC Chapter 25.09 and
2. Evaluating potentially significant impacts of the environmentally critical area resources not adequately addressed in the City of Seattle Environmentally Critical Areas, including any additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

Short-term Impacts

The following short-term temporary or construction-related impact on the identified critical area is expected: 1) temporary soil erosion. The impact is limited in scope and is temporary in nature. Pursuant to SMC 25.05.794, it is not significant; however, further discussion is warranted.

Several adopted codes and/or ordinances provide mitigation for the temporary soil erosion impact. The Stormwater, Grading, and Drainage Control Code regulates site excavation for foundation purposes and requires soil erosion control techniques be initiated for the duration of

construction. The ECA ordinance regulates development and construction techniques in designated ECA areas with identified geologic hazards. The Building Code provides for construction measures and life safety issues. These codes and ordinances provide for extensive review and conditioning of the project prior to issuance of building permits, therefore no further conditioning is warranted pursuant to SEPA policies.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted

Earth/Soils.

The subject site is designated as an Environmentally Critical Area due to steep slopes which exceed 40%. ECA submittal, general, and landslide-hazard as well as other applicable development standards apply.

Grading of approximately 870 cubic yards of material will be required to accommodate the proposed driveway along the northern property line and construction of the foundations and garages of the townhouse structures. The construction plans, including shoring of excavations where needed and erosion control techniques are being reviewed by a DPD Geotechnical Engineer and Building Plans Examiner for compliance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Ordinance, and Director's Rules 3-93 and 3-94). These codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to ensure safe construction techniques are used to reduce or eliminate the identified short term impact, therefore no additional conditioning pursuant to SEPA policies is warranted.

Long Term Impacts

Potential long-term impacts that may occur as a result of this project are: 1) increased surface water runoff due to greater site coverage by impervious surface, and 2) loss of plant and animal habitat.

Drainage

The proposed development is expected to have extensive impervious surface lot coverage from the townhouse structures and the access drives. However, the ECA Ordinance and the Stormwater, Grading and Drainage Control Code provide for extensive review and adequate conditioning of the project prior to issuance of building permits. Therefore, no conditioning for storm water impacts is warranted pursuant to SEPA.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS –SEPA

None.

Signature: (signature on file) Date: December 23, 2004
Paul Janos, Land Use Planner

PJ:sp
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